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2  
3 BILL NO. Z-74-09-20

4 ZONING ORDINANCE NO. Z-

5 AN ORDINANCE amending the City of Fort  
6 Wayne Zoning Map No. DD13

7 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
8 WAYNE, INDIANA:

9 SECTION 1. That the area described as follows is hereby designated  
10 a M1 District under the terms of Chapter 36, Municipal Code of the City of  
11 Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and  
12 amendments thereof; and the symbols of the City of Fort Wayne Zoning Map  
13 No. DD13 referred to therein, established by Section 9, Article III of said  
14 Chapter as amended, are hereby changed accordingly, to-wit:  
15

16 A part of the Northwest 1/4 of the Northeast 1/4 of Section 28,  
17 Township 31 North of Range 12 East, viz: Commencing at the  
18 Southeast corner of said 40 acre tract thence west along the  
19 south line of the same 19 & 84/100 chains to the Southwest  
20 corner of same, thence north 4 & 98/100 chains, thence east  
parallel with south line 19 & 84/100 chains to the east line,  
thence south 4 & 98/100 chains to beginning, containing 9.89  
acres in Allen County, Indiana

21 SECTION 2. This Ordinance shall be in full force and effect from  
22 and after its passage and approval by the Mayor and legal publication thereof.  
23

24   
25 Councilman

26  
27  
28  
29  
30  
31  
32  
33  
34  
35 APPROVED AS TO FORM  
AND LEGALITY  
  
CITY ATTORNEY

~~8:00 P.M., E.S.T.~~

Charles W. Williams  
CITY CLERK

AYES \_\_\_\_\_, NAYS \_\_\_\_\_, ABSTAINED \_\_\_\_\_, ABSENT \_\_\_\_\_ to-wit:

DATE: \_\_\_\_\_

CITY CLERK

ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_  
day of \_\_\_\_\_, 197\_\_\_\_\_, at the hour of \_\_\_\_\_ o'clock  
\_\_\_\_\_ M., E.S.T.

CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_,  
at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 24, 1974, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-74-09-20; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 18, 1974; and

WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission by the attorney representing the petitioner;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be WITHDRAWN in accordance with the written request of the attorney representing the petitioner.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted by the City Plan Commission.

Certified and signed this  
9th day of December, 1974.



Thomas J. Offerle  
Secretary

Bill No. Z-74-09-20

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance

Amending the City of Fort Wayne Zoning Map No. DD13

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Withdrew PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

CONCURRED IN

DATE 12-17-74 CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

No 297

GENERAL FUND

FT. WAYNE, IND.,

August 30 1914  
(reference)

RECEIVED FROM

Indiana Bank J. R. S. Marguerite Powell \$ 50.00

THE SUM OF

Fifty Dollars and 00/100

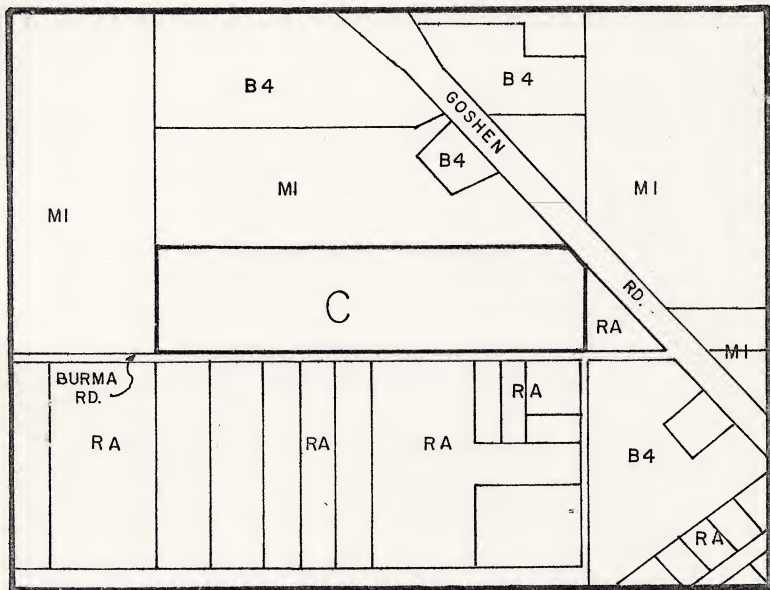
DOLLARS

ON ACCOUNT OF

Cash on acct Ry Hotel  
on the west side

Bucky J Escobedo

AUTHORIZED SIGNATURE



C - CHANGE FROM RA TO MI

2-74-09-20

PETITION FOR ZONING ORDINANCE AMENDMENT

No. \_\_\_\_\_

TO: COMMON COUNCIL OF THE

DATE FILED: \_\_\_\_\_

CITY OF FORT WAYNE, INDIANA

INTENDED USE: \_\_\_\_\_

X/We J. R. PENNELL and MARGUERETTE M. PENNELL

Applicant's Name or Names

Do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana by reclassifying from an R-1  
District to a M-1 District the property described as follows:

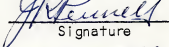
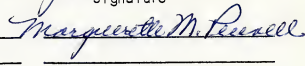
A part of the Northwest 1/4 of the Northeast 1/4 of Section 28,  
Township 31 North of Range 12 East, viz: Commencing at the  
Southeast corner of said 40 acre tract thence west along the  
south line of the same 19 & 84/100 chains to the Southwest  
corner of same, thence north 4 & 98/100 chains, thence east  
parallel with south line 19 & 84/100 chains to the east line,  
thence south 4 & 98/100 chains to beginning, containing 9.89  
acres in Allen County, Indiana.

Legal Description  
Legal Description Checked by (City Engineer) \_\_\_\_\_

The Undersigned applicant (s) upon the execution and submission of this application and petition for zoning ordinance amendment, understands and agrees that:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the Office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or for the ordinance to be taken under advisement is filed within the required time, the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. Also, in the event, a request is filed for continuance or delay in the consideration of an ordinance, it shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and informing him of the time and place of the next meeting at which the proposed ordinance will be considered. In the event the time and place of the meeting is not known at the time that the request for continuance is filed, it shall be the duty of the petitioner to notify all persons notified by the Plan Commission Office when the time and place of hearing is determined.

I/We hereby certify that as the undersigned, I am / We are the owner (s) of fifty-one percentum or more of the property described in this petition.

<u>J. R. Pennell</u>	<u>2731 Goshen Road</u>	<u></u>
Name	Address	Signature
<u>Marguerette M. Pennell</u>	<u>2731 Goshen Road</u>	<u></u>
_____	_____	_____
_____	_____	_____

This petition for zoning ordinance amendment prepared by:

<u>Clifford E. Simon, Jr.</u>	<u>2400 Fort Wayne National</u>	<u>743-8123</u>
Name	Address Bank Bldg.	Telephone Number

LAW OFFICES

SHOAFF, KEEGAN, BAIRD & SIMON

2400 FORT WAYNE NATIONAL BANK BUILDING

FORT WAYNE, INDIANA

46802

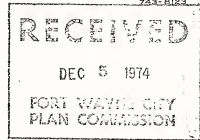
JOHN D. SHOAFF  
ROBERT Y. KEEGAN  
RICHARD F. BAIRD, JR.  
CLIFFORD E. SIMON, JR.  
GEORGE T. DODD  
THOMAS M. SHOAFF  
THOMAS M. MOORHEAD

N. REED SILLIMAN  
DAVID A. SCOTT

FRED B. SHOAFF  
1877-1961

AREA CODE 219  
TELEPHONE  
743-6123

December 4, 1974



The City Plan Commission  
City County Building  
Fort Wayne, Indiana 46802

In Re: Bill No. Z-74-09-20

Gentlemen:

Subsequent to our last Monday's Executive Committee Meeting of the City Plan Commission, we prepared and have filed a new Zoning Petition incorporating the 10 acres of ground connecting on the north side of the Burma Road and extending eastwardly to the Goshen Road, which was the subject of the above bill, as well as the triangular piece of ground at the corner of Burma Road and Goshen Road, which the Plan Commission requested us to include in a new zoning petition.

Accordingly, would you please withdraw from further consideration Bill No. Z-74-09-20 which you continued from last Monday's meeting.

Very truly yours,

SHOAFF, KEEGAN, BAIRD & SIMON

Clifford E. Simon, Jr.

CESjr/kf



Admn. Appr. ✓

Number assigned by Dave Keller's Office: # 3496

TITLE OF ORDINANCE Zoning Map Amendment Ordinance 3-74-09-20

DEPARTMENT REQUESTING ORDINANCE CITY PLAN COMMISSION

SYNOPSIS OF ORDINANCE Preparation of a Zoning Map Amendment Ordinance

Petition initiated by property owners to rezone property located as follows:

A parcel of ground, containing approximately 10 acres, more or less,

located on the north side of Burma Road, extending eastward to Goshen Road.

From "RA" to "MI"

EFFECT OF PASSAGE Property is presently zoned "RA" - Suburban Residential.

Petitions are requesting an "MI" Zoning - Light Industrial.

EFFECT OF NON-PASSAGE Property would remain residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) Regulations